



PATENT
ATTORNEY DOCKET NO.: 056291-5039

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

PEARS et al.

U.S. Application No.: 09/889,414

Filed: November 13, 2001

FOR: DRUG COMBINATIONS COMPRISING
(E)-7-[4-(4-FLUOROPHENYL)-6-
ISOPROPYL-2-
[METHYL(METHYLSULFONYL)
AMINO]PYRIMIDIN-5-YL](3R,5S)-
3,DIHYDROXYHEPT-6-ENOIC ACID AND
AN INHIBITOR, INDUCER OR
SUBSTRATE OF P450 ISOENZYME 3A4

Group Art Unit: 1654

Examiner: Meller, Michael V.

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8/12/03

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Commissioner for Patents
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Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: August 6, 2003

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the One-Month Action dated June 6, 2003, the time for responding to which has been extended to and including August 6, 2003, by the petition and authorization for fee payment submitted herewith.

In response to the Restriction Requirement stated therein, applicants hereby elect the invention of Group I, claims 1-15, drawn to a non-interacting drug combination. For the *provisional* election of species, applicants hereby elect as the "second drug" species the second drug fenofibrate (the species of claim 6), and as the method of administration species, applicants hereby elect the species wherein the drugs are administered together.

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